



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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FINAL AIR QUALITY OPERATING PERMIT

(Administrative Amendment to MBR-95-082MM, Transmittal No. X25442)

Issued by the Massachusetts Department of Environmental Protection ("MassDEP") pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

ISSUED TO ["the Permittee"]:

Kraft Heinz Foods Company
Hill Street
Woburn, Massachusetts 01801

INFORMATION RELIED UPON:

Application No. MBR-95-OPP-082,
MBR-95-OPP-082M, MBR-95-OPP-082MM,
MBR-95-OPP-082A and MBR-95-OPP-082A2
Transmittal No. 102449, X004443, X240017,
X25442, and X266595

FACILITY LOCATION:

Kraft Heinz Foods Company
Hill Street
Woburn, Massachusetts 01801

FACILITY IDENTIFYING NUMBERS:

SSEIS ID: 1190234
FMF FACILITY ID: 132626
FMF RO ID: 161792

NATURE OF BUSINESS:

Food Preparation

STANDARD INDUSTRIAL CODE (SIC):

2099

RESPONSIBLE OFFICIAL:

Name: Ms. Jane Hoyt
Title: Plant Manager

FACILITY CONTACT PERSON:

Name: Ms. Mary Ellen Doherty
Title: Environmental Manager
Phone: (781) 938-2286

This Operating Permit shall expire on November 9, 2012.

(However, Kraft Foods Group, Inc. had submitted its Operating Permit Renewal Application on May 9, 2012. This Renewal Application is currently under review by MassDEP.)

This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.

July 29, 2015

James E. Belsky
Permit Chief

Date

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SPECIAL CONDITIONS FOR OPERATING PERMIT

1. PERMITTED ACTIVITIES

In accordance with the provisions of 310 CMR 7.00:Appendix C and applicable rules and regulations, the Permittee is authorized to operate air emission units as shown in Table 1 and exempt and insignificant activities as described in 310 CMR 7.00:Appendix C(5)(h) and (i). The units described in Table 1 are subject to the terms and conditions shown in Sections 4, 5, and 6 and to other terms and conditions as specified in this Permit. Emissions from the exempt activities shall be included in the total facility emissions for the emission-based portion of the fee calculation described in 310 CMR 4.00 and this Permit.

DESCRIPTION OF FACILITY OPERATIONS

Kraft Heinz Food Company (“the Permittee”), is a manufacturing facility engaged in two major activities: edible gelatin production and flavors and ingredients production. Gelatin is produced from the refinement of animal skins. Cow and pig skins are received and transferred to large vats for washing. Acid is added to the pig skins and caustic is added to the cow skins, and then all are cooked several times to release the collagen. The resulting gelatin liquid is transferred to a dryer where it is dried for approximately four hours. The entire process from start to finish is about twenty four hours in duration. The dried material is further processed and packaged in different containers depending on the customer. Emission Unit EU15 is utilized for this purpose. Flavors and ingredients production involves mixing natural and artificial flavors and ingredients, drying in four spray dryer towers, size separation, packaging, and shipment. A series of cyclones combined with scrubbers control the emissions from the spray dryer towers (Emission Units EU26 and EU27). Pressure is monitored at multiple points in order to determine control efficiency, and is recorded at regular intervals. Emission Units EU23 and EU24 are utilized in starch production.

The Permittee also maintains a power plant consisting of three dual fired boilers identified as Emission Units EU1, EU2, and EU3, capable of combusting number 6 oil or natural gas, as well as two diesel generators identified as EU4 and EU5. The Permittee also operates additional smaller equipment that has been classified as “Insignificant Activities” in this Operating Permit due to the fact that said equipment is not subject to any applicable air quality regulations or requirements. The Permittee operates twenty four hours a day, seven days a week year round except for a three week shut down period during the summer.

Final Limited Plan Approval No. MBR-10-COM-003 was issued by MassDEP to the Permittee for the installation and operation of a direct fire water heater identified as EU57. This Emission Unit is subject to 40 CFR Part 60 Subpart Dc, but the existing boilers at the facility, EU1, EU2, and EU3, are not subject due to the fact that the installation date of these boilers is earlier than the applicability date for this regulation. EU1, EU2, and EU3 are subject to the requirements of 310 CMR 7.19 Reasonably Available Control Technology (RACT) for sources of NO_x for large boilers (310 CMR 7.19(4)). These Emission Units are also subject to the Area Source Boilers NESHAPS Rule at 40 CFR Part 63, Subpart JJJJJ. Initial notification for 40 CFR Part 63, Subpart JJJJJ was submitted to USEPA prior to the due date of September 17, 2011.

None of the facility Emission Units are subject to Compliance Assurance Monitoring (CAM), since none of the units use the associated control device to achieve compliance with an emission limitation or standard.

Tables 3, 4, 5, 6 and 8 of this Operating Permit contain the Air Quality requirements and regulations to which Kraft Heinz Food Company is subject. Table 7 of this Operating Permit contains Air Quality requirements to which Kraft Heinz Food Company is not subject as well as the reasoning utilized in determining the non-applicability status.

2. EMISSION UNIT IDENTIFICATION

The following emission units (Table 1) are subject to and regulated by this Operating Permit:

Table 1⁺			
EMISSION UNIT (EU)	DESCRIPTION OF EMISSION UNIT	EU DESIGN CAPACITY	POLLUTION CONTROL DEVICE (PCD)
EU1	Babcock & Wilcox Model No. FM-117 dual fired boiler	166.65 MMBtu/hr	Air Correction Division Cyclone and Flue Gas Re-circulation system Model No. 6 UPS HS No. 15-225 (PCD-1)
EU2	Combustion Engineering Model No. 30VP-12 dual fired boiler	142.5 MMBtu/hr	Air Correction Division Cyclone Model No. 6 UPS HS No. 15-225 (PCD-2)
EU3	Wicks Model No. RB dual fired boiler	111.7 MM Btu/hr	None
EU4	Cummings Diesel Generator No. 4 Model No. UT12-700-GS	4.05 MMBtu/hr	None
EU5	Fairbank/Morse Diesel Generator No.1 Model No. 38 D8-1/8	13.1 MMBtu/hr	None
EU15	Gelatin Dry Processing Units – Hammermill & Dust Collectors	1.5 tons per hour of raw material	Carter-Day 96HPB-8 Dust Filter and Dustex (PCD-3)
EU23	Elizabeth Engineering Company Starch Tower – Spray Dryer No.1	2400 pounds per hour of raw material	Fabric Filter Baghouse - Model No. 288-10-5/Mikro-Pulsaire (PCD-4)
EU24	Micro ACM Starch Pulverizers(2) Model No. 60	2325 dry pounds per hour of raw material	Fabric Filter Baghouses (2) - Model No. 85-8-150 TRH/Mikro-Pulsaire (PCD-5)
EU26	Anhydro, Inc. No. 14 Spray Dryer (Flavor & Ingredients) Model No.Type III No. 14	1460 dry pounds per hour of raw material	Ducon Co. Two Stage Model 41/120 Wet Scrubber & Countercurrent Flow Packed Bed Scrubber with Chevron Mist Eliminator (Koch) (PCD-6)
EU27	Anhydro, Inc. No. 17 Spray Dryer (Flavor & Ingredients) Model No.Type IIK No. 17	1400 dry pounds per hour of raw material	Ducon Co. Two Stage Model 33/96 Wet Scrubber & Countercurrent Flow Packed Bed Scrubber with Chevron Mist Eliminator (Koch) (PCD-7)
EU57	Armstrong Flo-Direct Direct Fire Water Heater	10 MMBtu/hr	None

+ Table 1 Key:

MMBtu/hr - million British thermal units per hour

No. - number

3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following have been found to be exempt activities as provided in 310 CMR 7.00: Appendix C(5)(h):

Table 2	
Description of Current Exempt Activities	Reason
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the permit term. An up-to-date copy of exempt activities list shall be kept on-site at the facility and a copy shall be submitted to MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12.	310 CMR 7.00:Appendix C(5)(h)

4. APPLICABLE REQUIREMENTS**A. EMISSION LIMITS AND RESTRICTIONS**

The Permittee is subject to the emission limits/restrictions as contained in Table 3 below:

Table 3 ⁺					
EMISSION UNIT (EU)	RAW MATERIAL	POLLUTANT	EMISSION LIMIT/STANDARD	RESTRICTIONS	APPLICABLE REGULATIONS AND/OR APPROVAL NO.
EU1	No. 6 fuel oil and Natural Gas	NO _x	0.40 pounds per MMBtu ¹	292 tons per year ²	MBR-94-COM-021 310 CMR 7.19(4)(a) 4.b.
		PM10 /Particulate	0.10 lb/MMBtu	NA	310 CMR 7.02(8)(h)
EU2		NO _x	0.40 pounds per MMBtu ¹	250 tons per year ²	MBR-94-COM-021 310 CMR 7.19(4)(a) 4.b.
		PM10 /Particulate	0.12 lb/MMBtu	NA	310 CMR 7.02(8)(d)
EU3		NO _x	0.30 pounds per MMBtu ¹	147 tons per year ²	MBR-94-COM-021 310 CMR 7.19(4)(a)4.a.
		PM10 /Particulate	0.10 lb/MMBtu	NA	MBR-83-COM-022
EU1,EU2, EU3		CO	200 ppmvd @ 3% O ₂	NA	310 CMR 7.19(4)(f) ¹
		Opacity	≤ 15% opacity based on a six-minute block average.	Except as provided in 310 CMR 7.06(1)(c)1.b. and; 310 CMR 7.06(1)(c)1.g.	310 CMR 7.06(1)(c)1.a., ,
			≤ 27% during cold start-up, warm start-up, shutdown, burner change out and soot blowing based on a six-minute block average.	Except for up to two six-minute block averages during each calendar quarter.	310 CMR 7.06(1)(c)1.b.

Table 3 (cont.)

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EMISSION UNIT (EU)	RAW MATERIAL	POLLUTANT	EMISSION LIMIT/STANDARD	RESTRICTIONS	APPLICABLE REGULATIONS AND/OR APPROVAL NO.
EU1,EU2, EU3	No. 6 fuel oil and Natural Gas	Opacity	≤ 27% during shakedown activities, testing and calibrations for the purpose of improving boiler performance	When notified in writing at least five business days prior to scheduled events, the MassDEP may allow exemptions to 310 CMR 7.06(1)(c)1.a. and 310 CMR 7.06(1)(c)1.b.	310 CMR 7.06(1)(c)1.g.
	No. 6 fuel oil	SO ₂	NA	1.20 lb/MMBtu ³	310 CMR 7.22(1)
			Sulfur in fuel	1% maximum sulfur by weight	310 CMR 7.05(1)(a)
EU4	Diesel fuel oil	PM10 /Particulate	0.12 lb/MMBtu	Operation restricted to no more than 300 hours per rolling 12-month period	310 CMR 7.02(8)(d) 310 CMR 7.02(8)(i) State only
EU5			0.10 lb/MMBtu	Operation restricted to no more than 1000 hours per rolling twelve month period	310 CMR 7.02(8)(h) State only
		NO _x	NA	46 tons per year ⁴	MBR-94-COM-021
		CO	100 ppmvd @ 15% O ₂	NA	
EU4,EU5		SO ₂	Sulfur in fuel	0.3% maximum sulfur by weight	7.05(1)(a)2
				≤ 0.0015% S by weight after 7/1/2007	7.05(1)(a)3
EU15	Gelatin	PM	0.02 grains/dscf	1.4 pounds per hour and 5.64 tons per year	MBR-87-IND-056
EU23	Starch		NA	1.22 pounds per hour	MBR-81-IND-005
EU24				2.23 pounds per hour	MBR-82-IND-013
EU26	Flavors & Ingredients			1.74 pounds per hour	MBR-80-IND-025
EU27				1.70 pounds per hour	
EU57	Natural Gas		NO _x	0.035 lb/MMBtu	NA
		CO	0.08 lb/MMBtu		
		VOC	0.03 lb/MMBtu		
		PM	0.01 lb/MMBtu		
Facility-wide except for EU1, EU2, EU3	NA	Opacity	<20%, except 20 to < 40% for ≤ 2 minutes during any one hour	NA	310 CMR 7.06(1)(b)
		Smoke	< No. 1 of Chart ⁵ , except No. 1 to < No. 2 of Chart for ≤ six (6) minutes during any one hour		310 CMR 7.06(1)(a)

Table 3 (cont.)

EMISSION UNIT (EU)	RAW MATERIAL	POLLUTANT	EMISSION LIMIT/STANDARD	RESTRICTIONS	APPLICABLE REGULATIONS AND/OR APPROVAL NO.
Facility-wide	All fuels	NA	Greenhouse Gas ⁶		310 CMR 7.71 (State only requirement)

Please Note:

- 1 Based on one hour averaging time.
- 2 Tons per year of NO_x emissions are based on 8,760 hours of operation per twelve month rolling average per unit while firing No. 6 fuel having a maximum sulfur content of 1 weight percent.
- 3 Emission rate is based on an annual calendar average.
- 4 Total based on 1,000 hours of operation while firing No. 2 diesel oil having a maximum sulfur content of 0.3 weight percent.
- 5 Chart means the Ringelmann Scale for grading the density of smoke, as published by the United States Bureau of Mines and as referred to in the Bureau of Mines Information Circular No. 8333, or any smoke inspection guide approved by MassDEP.
- 6 Greenhouse Gas means any chemical or physical substance that is emitted into the air and that the MassDEP may reasonably anticipate will cause or contribute to climate change including, but not limited to, CO₂, CH₄, N₂O, SF₆, hydrofluorocarbons (HFCs), and perfluorocarbons(PFCs).

+Table 3 Key:

<	=	less than
≤	=	less than or equal to
%	=	percent
@	=	at
NA	=	not applicable
CO	=	carbon monoxide
NO _x	=	nitrogen oxides
O ₂	=	oxygen
SO ₂	=	sulfur dioxide
No.	=	number
PM ₁₀	=	particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers
MMBtu/hr	=	million British thermal units per hour
lb/MMBTU	=	pounds per million British Thermal Units
ppmvd	=	parts per million by volume, dry
grains/dscf	=	grains per dry standard cubic foot
PM	=	particulate matter

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to the monitoring, testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00 Appendix C (9) and (10), as well as applicable requirements contained in Table 3:

Table 4	
EU #	MONITORING/TESTING REQUIREMENTS
EU1, EU2, EU3	In accordance with 310 CMR 7.04(2)(a), maintain a smoke density indicator and recorder that is properly maintained in an accurate operating condition, operates continuously and is equipped with an audible alarm to signal the need for combustion equipment adjustment or repair when the smoke density is equal to or greater than No. 1 of the Chart.
	In accordance with 310 CMR 7.06(1)(c) and the Plan of Good Operating Practices, as a minimum, calibrate the smoke density indicator system at least annually in accordance with the manufacturer's recommended procedures.
	In accordance with 310 CMR 7.06(1)(c) and the Plan of Good Operating Practices, the smoke density indicator, audible alarm and recorder system is used to determine compliance status with visible emission limits and to initiate corrective actions if the opacity level is in excess of the expected level, as defined in the Plan of Good Operating Practices, for: normal operation, startup, shutdown, burner change out, and soot blowing or testing/optimization.
	In the event a smoke density indicator and recorder is out-of-service for more than two business days while a boiler is operating and firing oil, then a Method 9 Test shall be conducted at least once per day during normal operations and once per day during any scheduled soot blowing, startup, and/or shutdown events until the day that the smoke density indicator and recorder is placed back in service.
	In accordance with 310 CMR 7.06(1)(c), and the Plan of Good Operating Practices, the opacity levels during normal operation, soot blowing, burner change-out, start-up, and shutdown, as applicable, shall be determined based upon a six-minute average determined by visible emission monitors per 310 CMR 7.06(1)(c)1.d.iii.
	Conduct Emission Compliance Testing (stack testing) annually, in accordance with Approval MBR-94-COM-021, 310 CMR 7.19(13)(c) and 310 CMR 7.13 and incorporated herein by reference.
	For each emission unit, measure the types of fuel(s) burned each day, heat content of each fuel, the total heating value of the fuel consumed for each day, and the allowable emission rate as provided in 310 CMR 7.19(13)(d)3 and incorporated herein by reference.
EU1,EU2,EU3, EU57	Inspect and maintain each fuel utilization facility, having an energy input capacity of ≥ 3 MMBtu /hr in accordance with manufacturer's recommendations and test for efficient operation at least once in each calendar year as provided in 310 CMR 7.04(4)(a) and incorporated herein by reference.
EU4,EU5	Monitor engine operating time, through use of the elapsed time meter, as required in Approval MBR-94-COM-021.
EU5	Inspect and adjust ignition timing of the engine at least once every three years in accordance with 310 CMR 7.19(8)(d)5.
EU4	Monitor to ensure that the following records are maintained for each unit as required in 310 CMR 7.02(8)(i)3: a. information of equipment type, make and model, and maximum power input/output; and b. monthly logs of hours of operation, gallons of fuel used, fuel type and heating value, and a monthly calculation of the total hours operated and gallons of fuel used in the previous twelve months shall be kept on site; and c. purchase orders, invoices, and other documents to support information in the monthly log.
EU26,EU27	Monitor operation of the differential pressure between the packed tower and the mist eliminator to indicate any imbalances in the volumetric flow rate in accordance with Operating Permit Minor Modification, Transmittal No. x004443.
EU57	Determine the amount of fuel combusted in this Emission Unit in accordance with 40 CFR Part 60 Subpart Dc Section 60.48c(g), incorporated herein by reference.

Table 4	
EU #	MONITORING/TESTING REQUIREMENTS
Facility-wide	Monitor facility operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form as required for compliance with 310 CMR 7.12 and incorporated herein by reference.
	In accordance with 310 CMR 7.13(1), any person owning, leasing, operating or controlling a facility for which MassDEP has determined that stack testing is necessary to ascertain compliance with MassDEP's regulations or design approval provisos shall cause such stack testing: (a) to be conducted by a person knowledgeable in stack testing, (b) to be conducted in accordance with procedures contained in a test protocol which has been approved by MassDEP, and (c) to be conducted in the presence of a representative of MassDEP when such is deemed necessary, and (d) to be summarized and submitted to MassDEP with analyses and report within such time as agreed to in the approved test protocol.
	Monitor facility operations such that compliance with the restrictions and emission limitations/standards contained in Table 3 of this Permit can be determined in accordance with 310 CMR 7.00 Appendix C(9)(b)2 and incorporated herein by reference.
	Opacity shall be determined in accordance with EPA Test Method 9, as specified in 40 CFR 60, Appendix A, if and when requested by MassDEP or EPA.
	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., monitor sulfur content of each new shipment of fuel received. Compliance with 310 CMR 7.05(1)(a) for sulfur content of the fuel can be demonstrated through fuel analysis. The analysis of sulfur content of the fuel shall be in accordance with the applicable American Society for Testing Materials (ASTM) test methods or any other method approved by MassDEP and the United States Environmental Protection Agency (EPA). Fuel sulfur information may be provided by fuel suppliers.
	In accordance with 310 CMR 7.71(1) and Appendix C(9) establish and maintain data systems or record keeping practices (e.g. fuel use records, SF6 usage documentation, Continuous Emissions Monitoring System) for greenhouse gas emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N, the Climate Protection and Green Economy Act, St. 2008, c. 298, § 6 (State only requirement).

Table 5	
EU #	RECORD KEEPING REQUIREMENTS
EU1, EU2, EU3	Maintain records of smoke density equipment data in accordance with 310 CMR 7.04(2). For each period of excess opacity, the Permittee shall record the duration, cause, the response taken, and the amount of excess opacity.
	Maintain records of all data relevant to 310 CMR 7.19(13)(d) incorporated herein by reference. This data shall include, but not be limited to, performance evaluations, maintenance, and adjustments, and also excess emissions, daily fuel data, and fuel supplier certifications. In accordance with 310 CMR 7.19(13)(d)3. and Approval MBR-94-COM-021, record for each boiler on a daily basis: type fuel(s) burned, heat content of each fuel, and total heating value of fuel consumed.
	Compliance with 310 CMR 7.05(1)(a) for sulfur content of the fuel can be demonstrated through fuel analysis. The analysis of sulfur content of the fuel shall be in accordance with the applicable American Society for Testing Materials (ASTM) test methods or any other method approved by MassDEP and the United States Environmental Protection Agency (EPA). Fuel sulfur information may be provided by fuel suppliers.
	In accordance with 310 CMR 7.06(1)(c), maintain records of the information specified in Table 5. The calendar date for each record shall be clearly identified on the record. All records shall be maintained for a period of at least five (5) years as required in 310 CMR 7.00: Appendix C(10)(b).
	In accordance with 310 CMR 7.06(1)(c) and the Plan of Good Operating Practices, maintain smoke density indicator recorder records. All records shall be maintained for a period of at least five (5) years as required in 310 CMR 7.00: Appendix C(10)(b).
	In accordance with 310 CMR 7.06(1)(c) and the Plan of Good Operating Practices, maintain all 40 CFR 60 Appendix A Method 9 records. All records shall be maintained for a period of at least five (5) years as required in 310 CMR 7.00: Appendix C(10)(b).
	In accordance with 310 CMR 7.06(1)(c) and the Plan of Good Operating Practices, maintain a copy of the Plan of Good Operating Practices approved by MassDEP.
	In accordance with 310 CMR 7.06(1)(c), maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for all smoke density indicator system calibrations.
	In accordance with 310 CMR 7.06(1)(c), maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for any period of malfunction of the smoke density indicator, recorder and alarm system.
	In accordance with 310 CMR 7.06(1)(c), maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for each start-up, shutdown, burner change out, soot blowing, and testing/optimization.
	In accordance with 310 CMR 7.06(1)(c), maintain a logbook or other permanent record that identifies the calendar date, start time, end time and a description of all maintenance performed on the smoke density indicator, recorder and audible alarm system.
	In accordance with 310 CMR 7.06(1)(c), maintain a logbook or other permanent record that identifies the calendar date, start time, end time and a description of the operating conditions for each event when the smoke density indicator, recorder and alarm system or Method 9 observations identifies that the opacity exceeded the level for the specific operating condition identified in Table 3.
	In accordance with 310 CMR 7.06(1)(c), maintain a copy of the certification of the qualified observer for each 40 CFR 60, Appendix A, Method 9 observation.
EU1, EU2, EU3, EU4, EU5, EU57	The results of the required inspection, maintenance, and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near each fuel utilization facility having an energy input capacity of ≥ 3 MMBtu/hr, as provided in 310 CMR 7.04(4)(a) incorporated herein by reference. Said records shall be maintained on site for a period of the five most recent years.
EU4, EU5	Maintain records on a monthly basis of the hours of operation for each engine for the previous twelve months, as required in Approval MBR-94-COM-021.
	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2, maintain records so that compliance with the reporting requirements in Table 6 of this Permit can be maintained.

Table 5	
EU #	RECORD KEEPING REQUIREMENTS
EU4	As referenced in 310 CMR 7.02(8)(i)3, establish and maintain the following records: a. information of equipment type, make and model, and maximum power input/output; and b. monthly logs of hours of operation, gallons of fuel used, fuel type and heating value, and a monthly calculation of the total hours operated and gallons of fuel used in the previous twelve months shall be kept on site; and c. purchase orders, invoices and other documents to support information in the monthly log.
	As referenced in 310 CMR 7.02(8)(i)4, certify that the log is accurate and true in accordance with 310 CMR 7.01(2).
EU5	Maintain records to certify that the ignition timing of the engine has been inspected and adjusted at least once every three (3) years as required in 310 CMR 7.19(8)(d)5 and incorporated herein by reference.
EU23, EU24	Maintain records of start-up, shutdown, any equipment malfunction, and maintenance on site for two (2) years as required in Approval MBR-81-IND-005 and MBR-82-IND-013 respectively.
EU26,EU27	Maintain records of the differential pressure between the packed tower and the mist eliminator to indicate any imbalances in the volumetric flow in accordance with Operating Permit Minor Modification, Transmittal No. X004443.
EU57	Maintain a record of routine maintenance activities including, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed as required in Approval MBR-10-COM-003.
	Maintain a record of all malfunctions including, at a minimum: the date and time the malfunction occurred; a description of the malfunction and the corrective action taken; the date and time corrective actions were initiated; and the date and time corrective actions were completed and the facility returned to compliance.
	Maintain a record of the amount of fuel combusted in this Emission Unit in accordance with 40 CFR Part 60 Subpart Dc Section 60.48c(g), incorporated herein by reference.
Facility-wide	Maintain records of facility operations such that information may be reported as required for compliance with 310 CMR 7.12, “Source Registration” and incorporated herein by reference.
	Keep copies of all information supplied to MassDEP pursuant to 310 CMR 7.12 on site for five (5) years after the date the report is submitted as required in 310 CMR 7.12(3)(b) and incorporated herein by reference.
	In accordance with 310 CMR 7.00: Appendix C(10)(b), incorporated herein by reference, maintain records of all monitoring data and supporting information required by this Operating Permit on site for five (5) years from the date of the monitoring sample, measurement, report or initial Operating Permit Application.
	Pursuant to MassDEP’s authority under 310 CMR 7.00: Appendix C(9)(d), incorporated herein by reference, maintain records of any EPA Method 9 opacity determinations performed according to 40 CFR 60, Appendix A if and when said testing is required by MassDEP or EPA.
	Maintain the test results of any stack testing performed in accordance with 310 CMR 7.13(1) or of any other testing or testing methodology required by MassDEP or EPA, pursuant to 310 CMR 7.00: Appendix C(9)(d), 310 CMR 7.13, and incorporated herein by reference.
	In accordance with 310 CMR 7.00: Appendix C(9)(b)2, and incorporated herein by reference, maintain records for sulfur content of each new shipment of oil received.
	In accordance with 310 CMR 7.71 (6) b. and c. retain at the facility for five years and make available to MassDEP upon request copies of the documentation of the methodology and data used to quantify emissions (State only requirement).

Table 6	
EU #	REPORTING REQUIREMENTS
EU1,EU2,EU3	In accordance with 310 CMR 7.19(13)(c), on an annual basis:
	(a) submit a pretest protocol for the required Emissions Compliance Test (stack test) for review and written Department approval at least 60 days prior to the anticipated date of testing,
	(b) include in the pretest protocol a description of sampling point locations, sampling equipment, sampling and analytical procedures, and the operating conditions for the required Emissions Compliance Testing, and
	(c) submit the Emissions Compliance Testing report for the review and written Department approval within 60 days of the completion of the Emissions Compliance Testing.
	In accordance with 310 CMR 7.19(13)(d)9, and incorporated herein by reference, submit compliance records within ten (10) days of written request by MassDEP or EPA.
	In accordance with 310 CMR 7.06(1)(c), notify the MassDEP, in writing, of any visible emissions monitoring that indicates the percent opacity to be in excess of that defined in Table 3. The notice shall be given within one business day. Within three business days the Permittee shall submit: a copy of the smoke density indicator records, an explanation for the elevated opacity, and any proposed revisions to the Plan of Good Operating Practices which will be implemented so as to prevent a recurrence of said exceedance in the future.
	In accordance with 310 CMR 7.06(1)(c), when notified in writing at least five business days prior to scheduled events, the MassDEP may allow exemptions to 310 CMR 7.06(1)(c)1.a. and 310 7.06(1)(c)1.b. Such notification shall include a brief description of the activity, its start time and anticipated end time. The MassDEP may allow a shorter notification period upon request. The MassDEP may deny or limit the frequency of such activities.
EU5	Notify MassDEP if the operation of any individual engine exceeds 1000 hours for any consecutive twelve month period as required by Approval MBR-94-COM-021. (See General Condition 25)
EU57	Comply with all applicable reporting requirements regarding the subject facility contained in 40 CFR 60 Subpart Dc.
Facility-wide	Upon MassDEP's request, any record relative to the Operating Permit or to the emissions of any air contaminant from the facility shall be submitted to MassDEP within 30 days of the request by MassDEP or within a longer time period if approved in writing by MassDEP, and shall be transmitted on paper, on computer disk, or electronically at the discretion of MassDEP, pursuant to 310 CMR 7.00: Appendix C(10)(a) and incorporated herein by reference.
	By April 15 of each year, submit Source Registration/Emission Statement to MassDEP as required in 310 CMR 7.12 and incorporated herein by reference.
	Submit by January 30 and July 30 for the previous six months respectively, a summary of all monitoring data and related supporting information to MassDEP as required by 310 CMR 7.00: Appendix C(10)(c) and incorporated herein by reference.
	Submit Annual Compliance report to MassDEP and EPA as required by General Condition 10. All reports must be certified by a responsible official as provided in 310 CMR 7.00: Appendix C(10)(h) and incorporated herein by reference .
	Promptly report to MassDEP all instances of deviations from permit requirements which are not otherwise reported to MassDEP by telephone or fax, within three days of discovery of such deviation, as provided in 310 CMR 7.00: Appendix C (10)(f). (See General Condition 25).
	Submit performance/compliance testing results reports to MassDEP as provided in 310 CMR 7.13(1)(d), 7.19(13)(c), and incorporated herein by reference.
	In accordance with 310 CMR 7.00: Appendix C(10)(h) all required reports must be certified by a responsible official consistent with 310 CMR 7.00: Appendix C(5)(c) incorporated herein by reference.
	In accordance with 310 CMR 7.71(5), by April 15 th of each year report emissions of greenhouse gases from stationary emission sources including, but not limited to, emissions from factory stacks, manufacturing processes and vents, fugitive emissions, and other process emissions; and owned or leased motor vehicles. Report greenhouse gas emissions electronically in a format that can be accommodated by the registry (State only requirement).
	In accordance with 310 CMR 7.71(6), certify greenhouse gas emissions reports using a form provided by MassDEP or the registry (State only requirement).
	In accordance with 310 CMR 7.71(7), by December 31 st of the applicable year submit to MassDEP documentation of triennial verification of the greenhouse gas emissions report (State only requirement).

C. GENERAL APPLICABLE REQUIREMENTS

The Permittee shall comply with all generally applicable requirements contained in 310 CMR 7.00 et. seq. and 310 CMR 8.00 et. seq., when subject.

D. REQUIREMENTS NOT CURRENTLY APPLICABLE

The Permittee is currently not subject to the following requirements, contained in Table 7 below:

Table 7	
Regulation	Description
310 CMR 7.16	Reduction of Single Occupant Commuter Vehicle Use
42 U.S.C.7401, Section 112(r)	Accidental Release Prevention Requirements
40 CFR Part 64 Compliance Assurance Monitoring	There are no emission units at the facility that meet the three part criteria for applicability.

5. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to the following special terms and conditions that are not contained in Tables 3, 4, 5 and 6.

Table 8	
EU#	SPECIAL TERMS AND CONDITIONS
Facility-wide	Should any nuisance condition(s) be generated at the facility, then appropriate steps shall immediately be taken to abate said nuisance condition(s). (State only requirement - 310 CMR 7.01 General Regulations to Prevent Air Pollution)
	Kraft Foods North America, Inc. is subject to, and has stated in their Operating Permit Application, that they are in compliance with the requirements of 40 CFR 82: Protection of Stratospheric Ozone. These requirements are applicable to this facility and the United States Environmental Protection Agency enforces these requirements.

6. ALTERNATIVE OPERATING SCENARIOS

The Permittee did not request alternative operating scenarios in its Operating Permit Application.

7. EMISSIONS TRADING

(a) Intra-facility emissions trading

The Permittee did not request intra-facility emissions trading in its Operating Permit Application.

Pursuant to 310 CMR 7.00: Appendix C(7)(b), emissions trades, provided for in this Permit, may be implemented provided the Permittee notifies The United States Environmental Protection Agency (EPA) and MassDEP at least fifteen (15) days in advance of the proposed changes and the Permittee provides the information required in 310 CMR 7.00: Appendix C(7)(b)3.

Any intra-facility change that does not qualify pursuant to 310 CMR 7.00: Appendix C(7)(b)2. is required to be submitted to MassDEP pursuant to 310 CMR 7.00: Appendix B.

(b) Inter-facility emissions trading

The Permittee did not request inter-facility emissions trading in its Operating Permit Application.

All increases in emissions due to emissions trading, must be authorized under the applicable requirements of 310 CMR 7.00: Appendix B (the "Emissions Trading Program") and the 42 U.S.C. §7401 et seq. (the "Act"), and provided for in this Permit.

8. COMPLIANCE SCHEDULE

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5.

In addition, the Permittee shall comply with any applicable regulation that becomes effective during the Permit term.

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

The Permittee has paid the permit application processing fee and shall pay the annual compliance fee in accordance with the fee schedule pursuant to 310 CMR 4.00.

10. COMPLIANCE CERTIFICATION

All documents submitted to MassDEP shall contain certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in compliance with 310 CMR 7.01(2) and contain the following language:

"I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment."

The "Operating Permit Report Kit" contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification. The "Operating Permit Reporting Kit" is available to the Permittee via MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>.

(a) Annual Compliance Report and Certification

The Responsible Official shall certify, annually for the calendar year, that the facility is in compliance with the requirements of this permit. The report shall be postmarked or delivered by January 30 to MassDEP and to the Regional Administrator, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status and whether compliance was continuous or intermittent during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
- iv. any additional information required by MassDEP to determine the compliance status of the source.

(b) Semi-Annual Monitoring Summary Report and Certification

The Responsible Official shall certify, semi-annually on the calendar year, that the facility is in compliance with the requirements of this permit. The report shall be postmarked or delivered by January 30 and July 30 to MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- iv. whether there were any deviations during the reporting period;
- v. if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- vi. whether deviations in the reporting period were previously reported;
- vii. if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- viii. if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- ix. any additional information required by MassDEP to determine the compliance status of the source.

11. NONCOMPLIANCE

Any noncompliance with a permit condition constitutes a violation of 310 CMR 7.00: Appendix C and the Clean Air Act and is grounds for enforcement action, for permit termination or revocation; or for denial of an operating permit renewal application by MassDEP and/or EPA. Noncompliance may also be grounds for assessment of administrative or civil penalties under M.G.L. c.21A, §16 and 310 CMR 5.00 and civil penalties under M.G.L. c.111, §142A and 142B.

This permit does not relieve the Permittee from the obligation to comply with any other provisions of 310 CMR 7.00 or the Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this permit.

12. PERMIT SHIELD

- (a) This facility has a permit shield provided that it operates in compliance with the terms and conditions of this permit. Compliance with the terms and conditions of this permit shall be deemed compliance with all applicable requirements specifically identified in Sections 4, 5, 6, and 7, for the emission units as described in the Permittee's application and as identified in this permit.

Where there is a conflict between the terms and conditions of this permit and any earlier permit, the terms and conditions of this permit control.

- (b) MassDEP has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.
- (c) Nothing in this permit shall alter or affect the following:
- (I) the liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.
 - (ii) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
 - (iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.02(8)(i), 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A.

All other terms and conditions contained in this permit, including any provisions designed to limit a facility's potential to emit, are enforceable by MassDEP, EPA and citizens as defined under the Act.

A Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

14. PERMIT TERM

This permit shall expire on the date specified on the cover page of this permit, which shall not be later than the date five (5) years after the issuance of this permit.

Permit expiration terminates the Permittee's right to operate the facility's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

15. PERMIT RENEWAL

Upon MassDEP's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by MassDEP on the renewal application.

In the event MassDEP has not taken final action on the operating permit renewal application prior to this permit's expiration date, this permit shall remain in effect until MassDEP takes final action on the renewal application, provided that a timely and complete renewal application has been submitted in accordance with 310 CMR 7.00: Appendix C(13).

16. REOPENING FOR CAUSE

This permit may be modified, revoked, reopened, and reissued, or terminated for cause by MassDEP and/or EPA. The responsible official of the facility may request that MassDEP terminate the facility's operating permit for cause. MassDEP will reopen and amend this permit in accordance with the conditions and procedures under 310 CMR 7.00: Appendix C(14).

The filing of a request by the Permittee for an operating permit revision, revocation and reissuance, or termination, or a notification of a planned change or anticipated noncompliance does not stay any operating permit condition.

17. DUTY TO PROVIDE INFORMATION

Upon MassDEP's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall furnish to MassDEP copies of records that the Permittee is required to retain by this permit.

18. DUTY TO SUPPLEMENT

The Permittee, upon becoming aware that any relevant facts were omitted or that incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a complete renewal application was submitted but prior to release of a draft permit.

The Permittee shall promptly, on discovery, report to MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to MassDEP.

19. TRANSFER OF OWNERSHIP OR OPERATION

This permit is not transferable by the Permittee unless done in accordance with 310 CMR 7.00: Appendix C(8)(a). A change in ownership or operation control is considered an administrative permit amendment if no other change in the permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, liability between current and new Permittee has been submitted to MassDEP.

20. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

21. INSPECTION AND ENTRY

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of MassDEP and EPA to perform the following:

- (a) enter upon the Permittee's premises where an operating permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor at reasonable times, any substances or parameters for the purpose of assuring compliance with the operating permit or applicable requirements as per 310 CMR 7.00 Appendix C.(3)(g)12.

22. PERMIT AVAILABILITY

The Permittee shall have available at the facility at all times a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the permit, including any amendments or attachments thereto, upon request by MassDEP or EPA.

23. SEVERABILITY CLAUSE

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

24. EMERGENCY CONDITIONS

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based¹ emission limitations specified in this permit as a result of an emergency². In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (a) an emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- (b) the permitted facility was at the time being properly operated;
- (c) during the period of the emergency the Permittee took all reasonable steps as expeditiously as possible to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and
- (d) the Permittee submitted notice of the emergency to MassDEP within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

If an emergency episode requires immediate notification to the Bureau of Waste Site Cleanup/Emergency Response, immediate notification to the appropriate parties should be made as required by law.

¹ Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

² An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

25. PERMIT DEVIATION

Deviations are instances where any permit condition is violated and not reported as an emergency pursuant to Section 24 of this permit. Reporting a permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in Table 6 of this Operating Permit shall supercede the following deviation reporting requirements, if applicable.

The Permittee shall report to the MassDEP's Regional Bureau of Waste Prevention the following deviations from permit requirements, by telephone or fax, within three (3) days of discovery of such deviation:

- Unpermitted pollutant releases, excess emissions or opacity exceedances³ measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.
- Exceedances of parameter limits established by your Operating Permit or other approvals, where the parameter limit is identified the permit or approval as surrogate for an emission limit.
- Exceedances of permit operational limitations directly correlated to excess emissions.
- Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other approvals.
- Failure to perform QA/QC measures as required by your Operating Permit or other approvals for instruments that directly monitor compliance.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the Massachusetts Department of Environmental Protection Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available to the Permittee via the MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>. This report shall include the deviation, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone or fax within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations that do not require 3-day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

Opacity excursions >27% that qualify as allowed under 310 CMR 7.06(1)(c)1.b. and 310 CMR 7.06(1)(c)1.c. shall not be considered deviations under the operating permit.

26. OPERATIONAL FLEXIBILITY

The permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the permit and in compliance with all applicable requirements provided the permittee gives the EPA and the Department written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(h) and (i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's permit. The permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

27. MODIFICATIONS

- (a) Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).
- (b) Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).
- (c) Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).
- (d) No permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes that are provided in this operating permit. A revision to the permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an operating permit revision under any other applicable requirement.

APPEAL CONDITIONS FOR OPERATING PERMIT

This permit is an action of MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing within 21 days of issuance of this permit. In addition, any person who participates in any public participation process required by the Federal Clean Air Act, 42 U.S.C. §7401, §502(b)(6) or under 310 CMR 7.00: Appendix C(6), with respect to MassDEP's final action on operating permits governing air emissions, and who has standing to sue with respect to the matter pursuant to federal constitutional law, may initiate an adjudicatory hearing pursuant to Chapter 30A, and may obtain judicial review, pursuant to Chapter 30A, of a final decision therein.

If an adjudicatory hearing is requested, the facility must continue to comply with all existing federal and state applicable requirements to which the facility is currently subject, until a final decision is issued in the case or the appeal is withdrawn. During this period, the application shield shall remain in effect, and the facility shall not be in violation of the Act for operating without a permit.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the permit is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to The Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

The Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver as described below.

The filing fee is not required if the appellant is a city or town (or municipal agency) county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

MassDEP may waive the adjudicatory hearing filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.